

## REMARKS

In the Office Action, the Examiner rejected claims 1-36 under 35 USC §103. Applicant respectfully traverses these rejections.

The claims have been amended to correct various typographical errors and in order to expedite allowance of the pending claims. Applicant reserves the right to re-introduce claims of the same or similar scope as the claims that are being amended. Claim 6 has been cancelled. Claim 37 has been added. Claims 1-5 and 7-37 are now pending.

In addition, the Specification has been amended in accordance with the Examiner's objections.

Reconsideration of the application is respectfully requested based on the following remarks.

### **REJECTION OF CLAIMS UNDER 35 USC §103**

In the Office Action, the Examiner rejected claims 1-2, 4-5, 9-14, 20-21, and 31-36 under 35 USC §103(a) as being unpatentable over Dorenbosch et al, U.S. Pub. No. 2005/0048977, ('Dorenbosch' hereinafter) in view of Jeyaseelan et al, U.S. Pub. No. 2005/0070275, ('Jeyaseelan' hereinafter).

Each of the pending claims triggers roaming of a network device based upon threshold values. Specifically, the speed of the network device is detected, and one or more threshold values at the detected speed are either ascertained (e.g., see claims 1, 20, 32, 33, and 34) or modified (e.g., see claims 21 and 31). Roaming is triggered based upon whether a trigger value meets the threshold value at the detected speed.

Claims 1, 20, 32, 33, and 34 recite, "ascertaining one or more threshold values corresponding to one or more trigger events and the detected speed of the network device."

Thus, the threshold values correspond to the detected speed of the network device. For example, as recited in claim 1, as amended, the threshold values may be obtained from a profile that includes a plurality of sets of threshold values, where each of the sets of threshold values corresponds to a different set of one or more speeds of a plurality of speeds. Nothing in Dorenbosch or Jeyaseelan, separately or in combination, discloses or suggests ascertaining one or more threshold values that correspond to the detected speed of the network device from a profile, as claimed.

In the Examiner's rejection of claim 6, the Examiner seeks to cure the deficiencies of Dorenbosch and Jeyaseelan with Palmer. Applicant respectfully traverses these assertions.

The Examiner cites col. 7, lines 40-57 of Palmer. The cited portion of Palmer refers to a "threshold PT<sub>ij</sub> for each access point with respect to the wireless communication device 20." As disclosed in col. 7, lines 27-31, "[t]he proximity threshold (PT<sub>ij</sub>) provides the maximum range of the cell or the communication envelope that the wireless communication device 20 must be within to be permitted to switch to that corresponding access point." Thus, it is clear that the proximity threshold PT<sub>ij</sub> corresponds to an access point, but does not correspond to a particular speed or set of speeds. Moreover, Palmer fails to disclose or suggest obtaining a proximity threshold PT<sub>ij</sub> from a profile, where the profile includes a plurality of sets of threshold values, each of the plurality of sets of threshold values including one or more threshold values, wherein each of the plurality of sets of threshold values corresponds to a different set of one or more speeds of a plurality of speeds. Thus, Palmer fails to disclose or suggest "obtaining one or more threshold values corresponding to the detected speed of the network device from a profile configured at the network device, wherein the profile includes a plurality of sets of threshold values, each of the plurality of sets of threshold values including one or more threshold values, wherein each of the plurality of sets of threshold values corresponds to a different set of one or more speeds of a plurality of speeds." Therefore, the combination of the cited references would fail to operate as claimed.

In addition, Palmer discloses that roaming can be critical when the "mobile worker" is "moving swiftly." However, Palmer neither discloses nor suggests detecting a specific speed of a network device at which roaming may be triggered. Rather, col. 6, lines 1-10 of Palmer clearly state that Palmer extrapolates future measurements. "This allows anticipation of the need to rate

shift or roam rather than to wait for an unsuccessful transmission or comparison against a fixed predefined threshold.” Thus, Palmer teaches away from comparing a current detected measurement against a predefined threshold. Therefore, there fails to be a motivation to combine the cited references.

Similarly, claims 21 and 31 recite, “modifying one or more threshold values” in a profile, as claimed. However, nothing in Dorenbosch or Jeyaseelan, separately or in combination, discloses or suggests modifying one or more threshold values in a profile configured at the network device. Therefore, Applicant respectfully asserts that the combination of the cited references would fail to operate as claimed.

Applicant respectfully asserts that the remaining references fail to cure the deficiencies of the primary references. Based on the foregoing, it is submitted that the independent claims are patentable over the cited references. In addition, it is submitted that the dependent claims are also patentable for at least the same reasons. The additional limitations recited in the independent claims or the dependent claims are not further-discussed as the above-discussed limitations are clearly sufficient to distinguish the claimed invention from the cited references. Thus, it is respectfully requested that the Examiner withdraw the rejection of the claims under 35 USC §103.

## **SUMMARY**

An early Notice of Allowance is earnestly solicited. If there are any further issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Applicants hereby petition for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in connection with the filing of this Amendment is to be charged to Deposit Account No. 504480 (Order No. CISC360).

Respectfully submitted,  
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